IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

-

WRIT PETITION NO : 16665 of 2004

Between:

N. Ramalingeswara Rao, S/o. Mallikharnuna Rao,
R/o. 13-165, Jaggayyapeta, Krishna District, Licensee of M/s. Ramachandra Bar & Restaurant, Door No. 6-11-92, Kodad Village, Jaggayyapeta, Krishna District (IL-17 License)

..... PETITIONER

AND

1 The Commissioner Prohibition & Excise, Nampally, Hyderabad.
2 The Prohibition & Excise Superintendent, Krishna District at Machilipatnam.
3 Cheda Srinivasa Rao, S/o. Not Known,
R/o. Jaggayyapeta, Krishna District, Licensee of M/s. Dhana Lakshmi Wines, Share Mohammadpet, Jaggayyapeta Mandal, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate order or direction more particularly one in the nature of Writ of Mandamus by declaring the order passed by the 1st respondent in Cr.No.14910/04/CPE/G3, dt. 13-9-2004 is illegal, arbitrary, void abinitio, contrary to the provisions of A.P. Excise Act and Rules made thereunder and may be further direct to the respondents not to permit the 3rd respondent to shift his license premises from Door No.1-241 to Door No.887 of share Mohammadpeta Village, Jaggayyapeta Mandal, Krishna District in the interest of Justice.

Counsel for the Petitioner: MR.Y.RAMA RAO

Counsel for the Respondent Nos.1 and 2: GP FOR PROHIBITION & EXCISE

Counsel for the Respondent No.3: Mr.B.Somasekhar

The Court made the following :

ORDER:

The learned counsel for the petitioner seeks permission for withdrawing the writ petition. Permission is granted. The writ petition is, accordingly, dismissed as withdrawn. No order as to costs.

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(V.ESWARAIAH, J.)

15.4.2005

kpr

To

1 The Commissioner Prohibition & Excise, Nampally, Hyderabad.
2 The Prohibition & Excise Superintendent, Krishna District at Machilipatnam.
3. 2 copies to the G.P. for Prohibition & Excise, High Court buildings, Hyderabad (O.U.T)

4. 2 C.D. copies